SPG Note 27 Heritage & Development Management at Garrison Side, Hull
INTRODUCTION & PURPOSE
27.1 The 17 hectare (42 acre) area known historically as Garrison Side is in mixed uses and is bounded by the River Hull on its western side; St. Peter Street on its northern side; Great Union Street and The Haven (Plimsoll Way) on its eastern side; and South Bridge Road and 'The Deep' on its southern side. Prominent landmarks around the area include 'The Deep', The Millennium Footbridge, The Tidal Surge Barrier, Myton and Drypool Bridges and Clarence Mills.
27.2 The Hull CityPlan (adopted May 2000) designates Garrison Side as being wholly within an Area of Archaeological Interest and partly within an Area of Potential Change (Figure 27.1, page 166). Relevant policies and the Councils requirements for these designated Areas are detailed in the Hull CityPlan and in accompanying Supplementary Planning Guidance (SPG).
27.3 Archaeological remains within the Garrison Side area should be seen as a finite non-renewable resource that is highly fragile and vulnerable to damage and destruction. In particular, care must be taken to ensure that remains (and the irreplaceable information that they hold) are not needlessly or thoughtlessly destroyed. They are important for:
- defining our sense of identity, place and belonging;
- for providing a source of evidence and knowledge of past human activity; and
- for their cultural role in education, recreation and tourism.
Appropriate management is therefore essential, especially in an Area of Potential Change, to ensure simultaneously the protection of the archaeological resource and regeneration of the local economy.

27.4 The purpose of this Supplementary Planning Guidance is to provide more detail and guidance on:
- the national importance and significance of the area’s archaeological remains;
- the importance of the area’s Listed Buildings of special architectural or historic interest;
- planning, development and work implications within the area;
- urban design requirements within the area;
- relevant legislation and planning policy; and to
- raise awareness of the cultural value and potential of the archaeological resource.

Remains of national importance and significance within Garrison Side include this 17th-century sentry box from the walls of Hull Citadel - a very small section of which can be seen reconstructed here.
Figure 27.1: Boundaries

- **Garrison Side**
- **Area of Archaeological Interest**
- **Area of Potential Change**

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HISTORICAL BACKGROUND

27.5 Garrison Side takes its name from the garrison which occupied the area between the mid-16th and mid-19th century. The fortifications for the garrison were successively constructed next to the village and church of Drypool - a name of Anglo-Saxon origin meaning 'Dried-up Pool'. The form of the military works in the mid-16th century comprised three blockhouses linked together by a curtain wall and an outer moat.

27.6 The blockhouses were small artillery forts designed to 'block' with cannon the movement of road and river traffic and to defend the previously exposed haven and east flank of Kingston upon Hull. The garrison was also there to ensure the loyalty of the town to the crown after its capitulation in 1536 to a rebel army during the 'Pilgrimage of Grace'.

27.7 During the late 17th century, parts of the Henrician defences were incorporated into a new artillery fortification known as the Citadel. This comprised a triangular defended area protected by massive earthen ramparts linked to angular bastions at each corner. Further protection was provided by a broad wet moat around the northeast and northwest sides. On the south side, until silting in the late 18th century, the Citadel fronted straight onto the Humber.

27.8 The defensibility of the Citadel was soon compromised, however, first by the transformation of Drypool from a small rural village to an industrial suburb of Hull (into which it was formally incorporated in 1837) and lastly by the construction of Victoria Dock between 1845-50.

27.9 As a result of the latter, the garrison at Hull was gradually wound-down during the 1850s and the site of the Citadel offered for sale in 1859. Offers for the site included one from Hull Corporation who wanted to turn it into Hull's first public park. Regrettably, the offer from the Corporation was rejected and the Citadel was sold to the Hull Dock Company a few years later.
The Company promptly demolished the Citadel in 1864, save for a stone sentry box (now part of the reconstructed wall off Plimsoll Way) and a stone entrance arch (now at Lea Hall, Hatfield Broad Oak, Essex).

27.10 A series of archaeological excavations from 1969, however, have shown that the demolition work was far from complete. Substantial and well-preserved stone and brick structural remains still survive in situ, together with evidence of the earthwork ramparts. In addition many individual items have been uncovered ranging from a 16th-century canon to 17th-century small arms accessories such as gunflints and a lead powder holder cover.

27.11 Following the levelling of the Citadel in 1864, a new network of streets for the site was planned, possibly as a precursor to building a 'Dockers village'. Few of the streets, however, appear to have been laid-out and the site was used instead as a marshalling and storage yard for timber - the principal commodity shipped through Victoria Dock.

27.12 During the Second World War, Drypool and Victoria Dock were prime targets for enemy bombing and suffered much damage. After the repair of war damage Victoria Dock prospered through the post-war years with the high demand for timber from the coal mining and building industries. A change in the economy and trade and shipping practices, however, finally led to the closure of the Dock in 1970. After closure, and with the exception of the half-tide basin, the Dock was in-filled. Industries along the Old Harbour Side also declined thereafter leading to vacancy and underuse by the end of the 20th century.

27.13 In 1981 the site of the Citadel was bisected by a six-lane expressway (Garrison Road). On its north side a light industrial estate was established. The area to the south remained derelict until regeneration in the late-1980s and 1990s as part of the Victoria Dock Village. In both cases the shape of the Citadel, and its internal structures, has had a profound influence on their layout and design, and will continue to influence new land use in the future (Figure 27.3, page 170). The nearby presence of 'The Deep' (opened in 2002) may also influence the character and nature of the area in the future, with a greater emphasis on culture, tourism, leisure and housing.

ARCHAEOLOGICAL REMAINS OF NATIONAL IMPORTANCE & SIGNIFICANCE

Hull Citadel

Plan of Hull Citadel, 1784

27.14 Hull Citadel is an example of a very rare pure bastioned fort. Only 25 of these were constructed nationally between 1660 and c.1865. Of these, Hull Citadel, along with Plymouth Citadel, Tilbury Fort and Clifford’s Fort, are the earliest - all dating to the late 17th century. In view of the rarity of such sites...
nationally, and the important insight they provide into the historic development of defence strategies, all examples retaining surviving archaeological remains are certainly of national importance. In addition to its rarity, Hull Citadel is also nationally significant for the survival of substantial remains and contemporary documents from phases of its construction. Despite its national importance, however, differing modern land-uses dictate that different management regimes are employed over the site of Hull Citadel. For this reason alone, only the southern half of Hull Citadel (south of Garrison Road) has statutory protection by scheduling (Figure 27.2).

**Hull Castle and the South Blockhouse**

27.15 Hull Castle and the South Blockhouse are rare examples of small artillery forts known as blockhouses. The earliest known blockhouse in England dates to 1398, but the majority were built in the first half of the 16th century for Henry VIII. Distributed along the east, south and southwest coasts between Hull and Milford Haven, there are 27 varying examples which are known to survive as standing structures, ruins or buried archaeological remains, many incorporated into later military installations as at Hull. Hull Castle and the South Blockhouse were amongst the last to be built nationally and feature unusual pointed curvilinear bastions.

27.16 The bastions are unique for England and represent a stage between the more typical rounded bastions of the period, and the introduction of angular bastions built at a slightly later date. The blockhouses are also notable for the survival of contemporary documents and plans. Although levelled in 1864, along with the rest of the Citadel into which they were incorporated in the late 17th century, substantial and well-preserved structural remains still survive in situ. These remains are rare and unique nationally and therefore have statutory protection by scheduling (Figure 27.2).

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**Figure 27.2: Scheduled Areas**

1. Hull Castle
2. South Blockhouse
3. Hull Citadel (southern half)
Some of the substantial and well-preserved structural remains of Hull Citadel (as exposed in 1988)

Figure 27.3: Diagrammatic Trace of Hull Citadel
Curtain Wall

27.17 Connecting Hull Castle with the North and South Blockhouses was a substantial battlemented curtain wall with a moat on its eastern side. During the late 17th century, the Henrician defences were superseded by a large triangular artillery fort known as Hull Citadel. The Castle and South Blockhouse were, however, incorporated within the design of the new Citadel, as was the section of curtain wall between them which acted as a revetment (retaining wall) for the Citadel's western ramparts. Although levelled in 1864, along with the rest of the Citadel, substantial and well-preserved structural remains still survive in situ. Such remains are rare nationally and consequently are of national importance.

Plan of Hull’s 16th century (Henrician) defences

Church and Churchyard of St. Peter, Drypool

27.18 In addition to the Henrician and Citadel defence sites, Garrison Side also contains the site of the medieval and later churches of St. Peter, Drypool (the last being demolished following war damage in 1941). This site appears likely to retain significant remains of the medieval church and its associated churchyard (now urban greenspace). Such remains are rare nationally and consequently are of national importance.

View of the church of St. Peter, Drypool, 1822

Important Note. Archaeological remains identified as being of national importance do not always merit scheduling. This does not indicate that they are of lesser importance or significance. Scheduling is applied only to those remains which are nationally important and for which it is an appropriate form of conservation management. As part of English Heritage’s wider policy and approach to managing change in the Historic Environment, however, the planning and heritage management strategy for Garrison Side will be kept under review to determine whether any specific changes need to be made to the extent of areas requiring protection by scheduling. To check if changes have been made since publication of this Note, please consult with English Heritage or the Humber Archaeology Partnership.
LISTED BUILDINGS (STANDING ARCHAEOLOGY)
Former Trinity House Buoy Shed, Tower Street
27.19 The former buoy shed is a rare surviving example of a largely unaltered building characteristic of port or harbour installations. It is 1 of only 4 examples listed nationally and dates from 1901. The shed was originally built for Hull Trinity House (who were responsible for the system of buoys and navigational markers on the Humber as far as Spurn Point) and was listed Grade II in 1994 (Figure 27.4).

Tubular Crane to northeast of former Trinity House Buoy Shed, Tower Street
27.20 The tubular jib crane is a rare surviving example of a type designed and patented by William Fairbairn in 1850 and constructed by various manufacturers. It is 1 of only 14 examples listed nationally and dates from c.1865. The crane was moved to its present location in 1901 and was listed Grade II in 1996 (Figure 27.4).

Figure 27.4: Listed Buildings

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SCHEDULED MONUMENTS - Implications for Work on Site

27.21 For Scheduled Monuments there is a strong presumption in favour of presentation of remains in situ, and against change or adaptive reuse which would diminish the monuments' archaeological value. It also means that no works within the scheduled areas may be undertaken if they would disturb or affect the monuments and/or the ground around them without prior authorisation (known as Scheduled Monument Consent) from the Secretary of State. Examples of works requiring prior authorisation include:

- the erection of any building or structure;
- the digging of drainage and 'public utility' trenches;
- the laying of car park surfaces; and
- the planting of trees.

27.22 Applications for Scheduled Monument Consent (SMC) must be made to the Department for Culture, Media & Sport (DCMS) on a standard form, giving details of the proposal for which consent is sought. Application forms and advice on what information should accompany the application can be obtained from DCMS or English Heritage's regional office at York. Applications must also include a certificate of land ownership or proof that applicants have notified the landowner.

27.23 The Secretary of State for Culture, Media & Sport takes the decision on whether or not works can go ahead, but English Heritage negotiates with applicants and advises the Secretary of State on all SMC applications. The applicant has a right to a public hearing before any decision is finally taken.

27.24 In addition to SMC, you may also require Planning Permission or Building Regulations Approval. SMC cannot be taken to remove the need for other statutory consents for development, and the possible need for Planning Permission is an entirely separate matter which applicants for SMC must pursue for themselves. It is normally possible, however, for applications for SMC and Planning Permission to run simultaneously through the two systems.

27.25 It is an offence, punishable by fine, to carry out unauthorised works within a scheduled area without first obtaining Scheduled Monument Consent. It is also an offence to damage or destroy a Scheduled Monument; the maximum penalty for this is an unlimited fine and/or a period of two years' imprisonment.

27.26 Metal detectors may not be used within scheduled areas, nor may objects found by metal detectors be removed from them without the prior consent from the Secretary of State. Convictions for these offences can lead to very substantial fines.

27.27 Whilst there is a presumption against works which would diminish the archaeological value of Scheduled Monuments, proposals which could enhance the archaeological and heritage value of a monument may be acceptable. These may include works which would make the form and history of the monument more easily appreciated and understood, such as:

- marking out ground plans of features;
- consolidating and displaying remains (if this can be done without damaging the remains); and
- erecting interpretive displays, etc.

Note. For Legislation and National, Regional and Local Policy Guidance see Appendix 1.
AREA OF ARCHAEOLOGICAL INTEREST - Planning & Development Implications

27.28 The fact that a site is within a designated Area of Archaeological Interest does not necessarily mean that development will be prohibited. It does mean, however, that the archaeology of Garrison Side is a material consideration in determining planning applications (PPG 16, paragraph 18).

27.29 The needs of archaeology and development can be reconciled if developers discuss their preliminary plans for development with the Humber Sites & Monuments Record (SMR) Office at the earliest possible stage, preferably prior to a planning application being made. Early consultation can save time and money later on, especially when details are provided on the following:

- the shape and location of new-build footprints;
- the type, depth and location of foundations (and whether, in the case of piled foundations, they would be hammer or pressure driven);
- the depth and location of service trenches;
- the depth and location of car/lorry park surfaces; and
- the location of areas to be subjected to earth-moving operations, vibro-compaction and landscaping.

27.30 Where a development or works would appear to have a significant impact upon archaeological remains, the City Council will require a developer/contractor to commission and pay for a desk-based evaluation and/or a field evaluation (Policy BE32). The evaluation must be carried out by an approved archaeological contractor to a brief or specification prepared by:

- the Humber SMR Office (who act as the archaeological advisor (curator) to Hull City Council); or
- the archaeological consultant employed by the developer and agreed with the curator.

The brief will define the planning situation and set out the archaeological issues which have to be addressed, together with an indication of the scope of works which will be required.

27.31 Once the results of an evaluation are known, an assessment can be made as to what effect a development will have upon archaeological remains. If archaeological remains are of sufficient importance to warrant preservation, mitigation measures such as physical preservation in situ, or excavation and publication, known as preservation by record, will
need to be considered before any development work commences.

27.32 In the unlikely circumstance that all parties agree that the only option is *preservation by record*, developers/contractors will be required to commission and pay for an excavation which must be approved by the curator to Hull City Council and carried out by an approved archaeological contractor to record any remains to be destroyed by a development or works. Excavation funding must also include adequate provision for a post-excavation programme and publication of the results (Policy BE34).

27.33 If the preferred option is physical preservation *in situ*, this can be achieved by a number of mitigation measures including:

- changing the shape and location of new-build footprints;
- changing the type, depth and location of foundations or by reusing old foundations;
- raising ground levels under new structures; and/or
- changing the location of service trenches, car/lorry parks or open/landscaped areas.

27.34 Failure to comply with Policy BE32 may result in:

- the refusal of planning permission on archaeological grounds; or
- the deferral of a planning decision pending the results of an archaeological evaluation.

27.35 Where some archaeological impact is anticipated but evaluation is not required, then planning permission may be granted subject to a condition or Section 106 Agreement requiring a scheme of archaeological work to be carried out before any development work commences.

**Note.** For Legislation and National, Regional and Local Policy Guidance see Appendix 1.

Example of carefully designed foundations employed to avoid the remains of the 16th-century curtain wall.

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**Example of carefully designed foundations employed to avoid the remains of the 16th-century curtain wall.**
LISTED BUILDINGS - Planning & Development Implications

27.36 Statutory protection of Listed Buildings extends:
- to the whole of the outside and inside of the building;
- to any object or structure fixed to it; and
- to any object or structure included within the curtilage of the building which, although not fixed to the building, forms part of the land around it and has done so since before 1948.

The official list description is mainly intended to aid identification of the building. Because a feature is not mentioned in the description it does not mean that it is not important nor that it is not protected by law.

27.37 Listing does not seek to prevent all future change to a building. Keeping a building in continuous use, sometimes in a new way, is often the best means of ensuring its survival (Policy BE26). The prime objective of listing is to protect a building from demolition and unsympathetic alteration (Policies BE27, 28 & 30). Persons wishing to alter any Listed building must first obtain Listed Building Consent (LBC). It is a criminal offence to carry out any work which affects the special character of a Listed Building without LBC. Persons who carry out unauthorised works could face a heavy fine or even imprisonment. Persons can also be required to reinstate the building to its former state.

27.38 Application forms for LBC are available from Kingston House, Bond Street. There is no fee. Persons should include with their application forms as much information as possible - in particular justifying what they want to do and what materials they intend to use. Delays may be caused if applicants do not supply enough information. Details of applications, once received and registered, are then advertised and comments are invited from various local and national bodies before consent is either granted or refused. In general 8 weeks should be allowed for this. Some applications may take longer. For example, applicants should allow an extra 28 days for applications for total demolition, all of which must be referred to the Secretary of State for Culture, Media and Sport. In addition, if demolition or radical change is involved, English Heritage, or Hull City Council, must be given the opportunity to record the building before and/or during such works. Applications for LBC that are refused or granted subject to conditions, an appeal to the Secretary of State can be made.

27.39 In addition to LBC, Planning Permission and Building Regulations Approval to alter and extend a Listed Building may be required. If this is the case it is advisable to submit a Planning Application at the same time as an application for LBC. If alterations and extensions do not require Planning Permission, however, it is important to remember that they may still need LBC.

27.40 Owners of Listed Buildings should keep them in good repair (Policy BE20). Generally speaking, like for like repairs, carried out in matching materials, design and form, do not require Listed Building Consent. If an owner does not keep a Listed Building in good repair, the City Council can serve a Repairs Notice. This will specify the work needed to bring the building up to a reasonable condition and give a time limit for carrying it out. With an unoccupied Listed Building, the City Council can serve an Urgent Works Notice and carry out work themselves to make a building safe and weather proof. It can then charge the cost of the works and professional fees to the owner.

Note. For Legislation and National, Regional and Local Policy Guidance see Appendix 2.
URBAN GREENSPACE - Guidance for Managing Archaeological Remains

Grass

27.41 The covering of grass over all four Urban Greenspaces (Figure 27.5) should be maintained, as this is widely recognised as the best possible form of land cover for the preservation of buried archaeological remains; acting as a robust protective 'carpet' that serves as a self-regenerating sacrificial layer in the event of surface abrasion. Because grass is also shallow rooted, it does not cause damage to underlying archaeological deposits.

Trees

27.42 Mature trees tend to be deep rooted and can cause serious damage and disturbance to buried archaeological features and structures. The planting of any new trees or shrubs should therefore take account of the future depth and spread of tree root systems and the depth and location of any archaeology remains. The stumps of felled trees should also be left to rot, rather than being pulled out with the resultant ripping up of any archaeological deposits.

Note. For National and Local Policy Guidance see Appendix 3.

Figure 27.5: Urban Greenspaces
AREA OF POTENTIAL CHANGE - Urban Design Guidance for Future Development at the Citadel Trading Park and the Old Harbour Side

27.43 The appearance of new buildings and spaces plays a major part in the overall character and quality of an area. New buildings can do much to shape the image of a city. Good design of buildings is therefore extremely important.

27.44 The Hull CityPlan requires that broad urban design principles should be adhered to so that new development is well designed and either complements or enhances the surrounding environment or creates its own sense of place.

27.45 Ideally, new development at the Citadel Trading Park (Figure 27.6) should:
- not exceed the height of existing buildings (in order to preserve important views of distant landmarks such as the towers of Holy Trinity church, St. Mary's church, the Guildhall and the Market Hall and the domes of the Crown Courts);
- avoid the line of the Citadel's ramparts and be spread evenly either side of it (other archaeology permitting);
- consider incorporating publicly accessible heritage interpretation proposals or ensure that opportunities for future interpretation/presentation are not precluded along the line of the Citadel's ramparts;
- have a well designed frontage or strong boundary treatment where it fronts Tower Street in order to improve the image of the street and the approach to 'The Deep'; and
- consider the placing and compatible relationship between mixed uses either side of Tower Street.

Figure 27.6: Citadel Trading Park

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27.46 New development along the **Old Harbour Side** (Figure 27.7) should ideally:

- maintain or improve public access to the riverside walkway or ensure that opportunities for a new linear piece of public realm, featuring public art, seating and trees, is not precluded;
- ensure public access to potential crossing points is not precluded;
- be 3-4 storeys in height where it fronts the river - to create a sense of enclosure;
- have well designed river and street frontages to improve the image of Tower Street and the riverside wharfs and the approach to 'The Deep';
- consider the placing and compatible relationship between mixed uses either side of Tower Street;
- integrate car parking provision into the built form to minimise adverse visual impact and help create a more substantial built form;
- not have an adverse impact on distant landmarks such as the towers of Holy Trinity church, St. Mary's church, the Guildhall and the Market Hall and the domes of the Crown Courts;
- provide new pedestrian/cycle crossing points between Scale Lane Staith and Conduit Street and/or Chapel Lane Staith and Citadel Wharf or ensure that opportunities for new crossing points are not precluded; and
- consider views from the Old Town Conservation Area, particularly in how it might impact on framed views along the Staiths leading off High Street.

**Note.** For Local Policy Guidance see Appendix 4.
CONCLUSION

27.47 The whole of Garrison Side is within a designated Area of Archaeological Interest and partly within an Area of Potential Change. It is notable for containing historic buildings and archaeological remains of national importance and significance. Appropriate heritage and development management is therefore essential to ensure simultaneously the conservation of the historic resource and regeneration of the local economy.

27.48 Some of the archaeological remains, such as those of Hull Castle, the South Blockhouse and the southern half of Hull Citadel (south of Garrison Road) have statutory protection by scheduling. Those that do not have statutory protection should not be considered of lesser importance or significance. Scheduling is only applied to nationally important remains for which it is an appropriate form of protection. Scheduling does not imply either that remains are being poorly managed or that they are under threat, and it does not impose a legal obligation to undertake any additional management of remains. Owners and occupiers are expected, however, to respect the law and maintain scheduled areas in good condition by adopting sympathetic land uses.

27.49 For those nationally important remains within Garrison Side that are not scheduled, protection is currently afforded by this and other Supplementary Planning Guidance (SPG) combined with relevant legislation and national, regional and local policies (see Appendices 1-4). The planning and heritage management strategy for Garrison Side will be kept under review, however, as part of English Heritage's wider policy and approach to managing change in the Historic Environment, to determine whether any specific changes need to be made in the future to the policies or guidelines, or to the extent of areas requiring protection by scheduling.
USEFUL ADDRESSES & CONTACTS

Hull City Council Planning Services,
Kingston House, Bond Street, Hull HU1 3ER
Tel. 01482 300300
Fax. 01482 612350
www.hullcc.gov.uk

Humber Archaeological Partnership,
Sites & Monuments Record Office,
The Old School, Northumberland Avenue, Hull
HU2 0LN
Tel. 01482 217466
Fax. 01482 581897
www.hullcc.gov.uk/archaeology

English Heritage,
Fortress House, 23 Savile Row, London W1X 1AB
Tel. 020 7973 3000
Fax. 020 7973 3001
www.english-heritage.org.uk

English Heritage, Yorkshire Regional Office
37 Tanner Row, York YO1 6WP
Tel. 01904 601901
Fax. 01904 601999

Dept. for Culture, Media & Sport,
Scheduled Monument Consent Branch,
2-4 Cockspur Street, London SW1Y 5DH
Tel. 020 7211 6920
Fax. 020 7211 6962
www.culture.gov.uk
APPENDIX 1 - Legislation & Planning Policy Applicable to Archaeological Remains

Legislation

27.1.1 The Ancient Monuments & Archaeological Areas Act 1979, As Amended by The National Heritage Act 1983. This requires the Secretary of State for Culture, Media & Sport to compile and maintain a schedule of monuments (section 1). Once included in the schedule:

- all monuments are afforded statutory protection under the terms of the Act.

27.1.2 The Highways Act 1980, As Amended by the Highways (Assessment of Environmental Effects) Regulations (SI 1999 No. 369). This requires the Secretary of State for Transport, in considering a project for constructing or improving a highway for which he is the highway authority, to:

- address the question of Environmental Impact Assessment (EIA) where the area of completed works together with any area occupied during the period of improvement by requisite apparatus, equipment, machinery, materials, plant, spoil heaps or other such facilities exceeds 1 hectare or where any such area is situated in whole or in part in a sensitive area eg a scheduled monument (Part VA, 105).

27.1.3 The Electricity Act 1989. This requires licensee companies to:

- have regard to the desirability of protecting sites, buildings and objects of architectural, historic or archaeological interest when formulating any relevant proposals (section 38).

27.1.4 The Water Resources Act 1991. This places a duty on water companies in relation to their functions under the Act to:

- have regard to the desirability of protecting and conserving buildings, sites and objects of archaeological, architectural or historic interest (section 16).

27.1.5 The Environment Act 1995. This places a duty on the Environment Agency to:

- have regard to the desirability of protecting and conserving buildings, sites and objects of archaeological, architectural, engineering or historic interest (section 7).

National Policy Guidance

27.1.6 Planning Policy Guidance Note 16 (PPG 16) Archaeology & Planning (1990). This advises that:

- where nationally important archaeological remains, whether scheduled or not, and their settings, are affected by proposed development, there should be a presumption in favour of their physical preservation (paragraph 8).

27.1.7 Planning Policy Guidance Note 1 (PPG 1) General Policy & Principles (1997). This advises that:

- there should be effective protection of the historic environment (paragraph 32).

Regional Policy Guidance

27.1.8 Regional Planning Guidance (RPG) for Yorkshire and the Humber to 2016 (2001). This advises Local Planning Authorities to:

- develop policies and proposals for the preservation and/or enhancement of the historic environment and to promote its appropriate management (Policy N2).

Local Policy Guidance

27.1.9 Humberside County Structure Plan (1987) and subsequent Alteration (1993). This advises that:

- sites of archaeological importance will be safeguarded as far as possible from proposals for
development which would harm them (Policy En6).

27.1.10 Joint Structure Plan for Kingston upon Hull and the East Riding of Yorkshire (Deposit Draft January 2003). This states that:

- nationally important archaeological remains and their settings will be physically preserved and development that is likely to have an adverse effect should not be allowed. Other sites of archaeological significance will be protected unless an overriding need for the development is demonstrated. When development affecting such sites is acceptable in principle, mitigation of damage should be sought through preservation of remains in situ wherever possible (Policy ENV7).

27.1.11 Hull CityPlan (adopted May 2000) and Hull Supplementary Planning Guidance Note 13 (SPG 13) Archaeology (adopted May 2000 & revised 2003). The relevant Local Plan Policies are as follows:

**BE31** (a) The City Council will seek to preserve the remains, site and setting of important archaeological monuments (whether scheduled or not). Development will not be allowed if it adversely affects the remains, site or setting of either:
(i) a Scheduled Ancient Monument; or
(ii) remains within the Area of Archaeological Interest, as designated on the Proposals Map.

(b) Development affecting other important archaeological remains identified as a result of an archaeological evaluation (Policy BE32) will be assessed against the importance of the remains and the degree of any adverse effect

continued...

by the development of the remains or their site or setting.

**BE32** The City Council will:
(i) require a developer to provide an archaeological evaluation for development affecting a known or presumed site of archaeological remains; and
(ii) use the evaluation to consider the nature of the archaeological remains and the impact of development on the remains in applying Policies Be31, Be33 and BE34, if archaeological remains are found or suspected.

**BE33** The City Council will require a developer to demonstrate that development affecting important archaeological remains will:
(i) preserve archaeological remains in situ; and
(ii) minimise its impact on archaeological remains.

**BE34** If development is accepted as outweighing the loss of important archaeological remains, the City Council will require a developer to make appropriate provisions for:
(i) recording the archaeological remains; and
(ii) publishing the results of the recording.
**Important Note.** Policy BE34 should be seen as the exception rather than the norm. Excavation means the total destruction of evidence (apart from removable artefacts) from which future techniques could almost certainly extract more information than is currently possible. Excavation is also expensive and time-consuming, and discoveries may have to be evaluated in a hurry against an inadequate research framework. The preservation in situ of important archaeological remains (Policy BE33) is therefore nearly always to be preferred.
APPENDIX 2 - Legislation & Planning Policy Applicable to Listed Buildings

Legislation
27.2.1 Planning (Listed Buildings & Conservation Areas) Act 1990. This states that:
- no person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised (section 9 Offences).

National Policy Guidance
27.2.2 Planning Policy Guidance Note 15 (PPG 15) Planning & the Historic Environment (1994). This advises that:
- there should be effective protection for all aspects of the historic environment (paragraph 1.1).
27.2.3 See Appendix 1: 27.1.7.

Regional Policy Guidance
27.2.4 See Appendix 1: 27.1.8.

Local Policy Guidance
27.2.5 Humberside County Structure Plan (1987) and subsequent Alteration (1993). This advises that:
- the conservation and enhancement of buildings and areas of historic or architectural importance will be encouraged (Policy En7).
27.2.6 Joint Structure Plan for Kingston upon Hull and the East Riding of Yorkshire (Deposit Draft January 2003). This states that:
- the setting, character or appearance of strategically important buildings, features and areas of historic or architectural interest should be protected and where appropriate enhanced (Policy ENV6).

27.2.7 Hull CityPlan (2000). The relevant Local Plan Policies are as follows:

BE27 Altering or adding to a Listed Building or any object or structure within its curtilage, will not be allowed if it adversely affects, or is not in keeping with, its special architectural or historic interest.

BE28 Development within the setting of a Listed Building will not be allowed if it adversely affects, or is not in keeping with, the Listed Building's special architectural or historic interest.

BE29 (a) Repairing and maintaining a Listed Building by the owner, to ensure it is in a reasonable physical condition, will be encouraged by the City council.
(b) The City Council will require repairs or other urgent works to a Listed Building, if appropriate.

BE30 (a) Demolishing a Listed Building will not be allowed unless:
(i) it can be demonstrated by the developer that all reasonable efforts have been made to sustain its use or find alternative new uses but these have failed and the building is beyond economic repair or use; or
(ii) redevelopment will produce substantial community benefits outweighing the loss resulting from demolition.
APPENDIX 3 - Planning Policy Applicable to Urban Greenspace

National Policy Guidance

27.3.1 Planning Policy Guidance Note 17 (PPG 17) Planning for Open Space, Sport & Recreation (2002).

This advises that:

- small areas of open space in urban areas that provide an important local amenity and offer recreational and play opportunities should be recognised and given protection by Local Authorities through appropriate policies in plans (paragraph 11).

Local Authorities can give consideration, however, to:

- any benefits being offered to the community against the loss of open space that will occur eg the building of an interpretation centre (paragraph 16).

Local Policy Guidance

27.3.2 Hull City Plan (2000). The relevant Local Plan Policies are as follows:

**NE1 Development on Urban Greenspace**

0.25 hectares and above designated on the Proposals Map and listed in Tables NE1, NE2 and NE3 will not be allowed if this results in any of the following:

(i) a loss of sporting or recreation facilities;

(ii) an adverse effect on nature conservation;

(iii) the loss of a link between other areas of Urban Greenspace; or

(iv) an adverse effect on the amenity or character of an area and in particular the loss of an important view or sense of openness.

CC11 (a) Existing Urban Greenspace and public spaces within the City Centre will be protected from development and their enhancement supported.

(b) Development including Urban Greenspace and public spaces within the City Centre will be supported.
APPENDIX 4 - Planning Policy Applicable to Development Proposals

Local Policy Guidance

27.4.1 Joint Structure Plan for Kingston upon Hull and the East Riding of Yorkshire (Deposit Draft January 2003). This states that:

- the character and distinctiveness of settlements and their settings will be protected and enhanced. Important features in and around settlements should be identified, protected and respected.

Special consideration should be given to:
- (i) historic street and development patterns;
- (ii) important skylines and views;
- (iii) valuable open areas within settlements; and
- (iv) important edges and settings to settlements (Policy SP1); and

- development proposals should achieve a high standard of design that:
  - (i) respects local landscape and settlement character including building styles and materials;
  - (ii) integrates visually and physically with its surroundings;
  - (iii) harnesses local heritage and landscape distinctiveness;
  - (iv) maximizes the use of sustainable construction material and techniques;
  - (v) makes it easy and safe for people to move around and through the development;
  - (vi) encourages a vibrant mix of uses either on the site or across a wider area; and
  - (vii) facilitates walking, cycling and the use of public transport (Policy SP5).

27.4.2 Hull City Plan (2000). This states that the City Council's objective is to promote urban regeneration (Aim 3) and to protect, support and develop the role of the City Centre (Aim 12). The principal Local Plan Policy is as follows:

CC29 (a) Development within the River Hull Corridor Area of Potential Change will take into account:
- (i) the Marina/River Hull/Old Town Tourism Action Area;
- (ii) providing an appropriate frontage onto the River Hull and Humber Estuary foreshore and, if located on the western bank within the Old Town Conservation Area, onto High Street;
- (iii) reusing or converting vacant properties;
- (iv) the Old Town Conservation Area;
- (v) Scheduled Ancient Monuments;
- (vi) the Area of Archaeological Interest;
- (Vii) providing and improving access to the River Hull and Humber Estuary; and
- (viii) flood defence.

(b) A range and mix of uses will be supported in the area including leisure, housing, offices and education.
27.4.3 Heartlands Policy Plan (adopted as Supplementary Planning Guidance, 2001). This places an emphasis on:

- regeneration focusing on research and development, business and commercial uses mixed with other possible riverside uses related to culture, tourism, leisure and housing (HL1.1);
- promoting top quality design and development which acknowledges the area's heritage (HL1.5);
- investigating and procuring resources to secure pedestrian and cycle links across the River Hull, and securing attractive public access along the riverside (HL1.5);
- encouraging recognition of the area's archaeological value and heritage potential (HL1.5); and
- encouraging, supporting and where possible enabling brownfield, vacant, underused or derelict land and property to be developed and more positively used (HL1.6).